

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA	:	
	:	
v.	:	1:21CR373-1
	:	
TMOTHY JAY NORMAN	:	

FACTUAL BASIS FOR A GUILTY PLEA

NOW COMES the United States of America, by and through Sandra J. Hairston, United States Attorney for the Middle District of North Carolina, and states that the factual basis for a guilty plea is as follows:

I. BACKGROUND

In early 2021, the Federal Bureau of Investigation (FBI) learned from a Confidential Human Source (CHS) that a convicted felon (Tommy Lee Hudson, charged in this district under case number 1:21CR271-1 and scheduled for sentencing at a yet-to-be-determined date<sup>1</sup>) was buying firearms from a North Carolina State Highway Patrol (NCSHP) trooper, the defendant, Timothy Jay Norman. The FBI then opened an investigation into the same.

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<sup>1</sup> Hudson was convicted on September 27, 2016 in the Superior Court of Rockingham County, North Carolina, of felony assault with a deadly weapon inflicting serious injury. The sentence was suspended and a probationary term of fifteen to thirty months was imposed. However, Hudson's probation was revoked twice and he served over a year in prison as a result of those revocations. He also acknowledged his status as a felon to law enforcement upon arrest in the instant matter, as set forth in further detail *infra*.

Hudson offered to introduce the CHS to Norman, whom Hudson described as his source for firearms and ammunition. Hudson described multiple firearms he had previously purchased from Norman and additional firearms Norman had for sale. Hudson offered to serve as a middleman between the CHS and Norman. The firearms for sale included decommissioned NCSHP service weapons described as Sig Sauer P226 .357 semi-automatic pistols, Arma Lite, AR-15, 5.56mm semi-automatic rifles, and Beretta, Model 1201FP, 12-gauge shotguns. The Sig Sauer P226 semi-automatic pistols had the NCSHP badge engraved on the top, rear portion of the slide and the Arma Lite AR-15 rifles had the badge engraved on the side of the magazine well.

Starting in late January 2021, the CHS and Hudson exchanged multiple text messages. As a part of this thread, Hudson texted the CHS that he wanted to sell, on behalf of Norman, “government edition 357 pistols they have a badge or emblem where the sights are.” In late March 2021, Hudson texted the CHS photographs of firearms he indicated Norman was selling: three shotguns and three semi-automatic rifles, the latter of which had the NCSHP badge engraved on the right side of the magazine well.

On March 25, 2021, the CHS went to Hudson’s home in Reidsville. There, he saw Hudson with numerous firearms. Hudson fired some of them in the backyard area. Hudson called Norman and put him on speaker; the CHS recorded this call. Hudson asked Norman for the price for another Beretta

shotgun. In response, Hudson told Norman he wanted to purchase four more shotguns. Hudson asked Norman how much it would cost to purchase one of the used NCSHP Sig Sauer P226 pistols and Norman stated “14,” indicating a cost of \$1,400. Hudson asked Norman about the cost of the “ARs” and Norman responded: “they cost me like, about 12 ... *I just want to make something on it, if I buy them and put them in my name*” (emphasis added). The “12” statement indicated a cost of \$1,200.

On May 12, 2021, the CHS gave FBI agents a copy of a recorded conversation between the CHS and Hudson that had occurred the prior day. During the recorded conversation, Hudson told the CHS he could sell a shotgun to the CHS for \$800 and that Hudson owned the same shotgun himself. Hudson told the CHS he had bought many firearms from Norman and had done so while Norman was on duty in his patrol car. Hudson talked about meeting Norman in the past while he was in uniform and buying the guns from him in a parking lot of a retail store. Hudson explained that when he bought firearms from Norman, the firearms were stored in the trunk of Norman’s NCSHP patrol vehicle. Hudson told the CHS that he and Norman had known each other for a long time and that Norman knew Hudson was a convicted felon. Hudson stated: “I don’t know no other cop ... fucking police ... that will sell a felon a gun.”

## II. MAY 12, 2021 CONTROLLED BUY (NORMAN AND HUDSON)

On May 12, 2021, the FBI conducted a successful controlled firearms evidence purchase from Hudson and Norman using the CHS. The purchase was audio/video recorded by the CHS and physically surveilled by agents and aircraft.

The CHS met with Hudson at Hudson's girlfriend's (Individual-1, also a convicted felon) home in Reidsville. While inside, Hudson took the CHS to a bedroom and showed the CHS numerous firearms, magazines, and ammunition. Hudson said he could only buy ammunition that was 115 grains in the store, but that he was able to get access to law enforcement rounds from Norman that were 147 grains, making the bullets much heavier and more powerful. Hudson purchased several boxes of ammunition from Norman for \$60 per box. Hudson said approximately two months earlier, Norman offered to sell Hudson one of the used NCSHP Sig Sauer P226 pistols for \$800, because at that time Norman had ten of them in his trunk. Hudson said Norman "bought in bulk." While still in the bedroom, the CHS saw Hudson carrying a Glock 9mm semi-automatic pistol in the front pocket of his hooded sweatshirt.

Hudson later called Norman and put the call on speaker so the CHS could hear their conversation. Hudson and Norman discussed the purchase of a NCSHP Sig Sauer P226 semi-automatic pistol for \$1,600. Hudson and Norman discussed additional firearms and ammunition Norman was willing

to sell to Hudson and the CHS. Norman offered to sell them .357 ammunition for \$70 (per box) and 9mm ammunition for \$50 (per box). Hudson replied, “Hollow point?” and Norman said, “Ranger, that’s the good shit.” Norman said he sold some ammunition the other day to someone for \$80 a box. Hudson asked Norman if he still had the “AK” because Hudson wanted to purchase a rifle. Norman responded that he still had the “AK” and confirmed it was the same one Hudson had previously shot. Norman indicated he was willing to meet Hudson and the CHS in person during this purchase and/or future firearms purchases. Norman sent Hudson text message photos of additional firearms Norman had for sale. Hudson forwarded the photos to the CHS, who then provided them to the FBI.

The CHS gave Hudson \$1,600 in FBI case funds to buy the firearm. Hudson and Individual-1 traveled to Norman’s residence in Browns Summit. Hudson met with Norman and purchased a Sig Sauer P226 .357 semi-automatic pistol, bearing serial number 47A061969, with the NCSHP badge engraved on top of the slide, in a case with two magazines, for \$1,600.<sup>2</sup>

Hudson and Individual-1 drove from Norman’s residence to a Wendy’s in Reidsville, where Hudson delivered the pistol to the CHS. Hudson told the CHS

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<sup>2</sup> Records from Lawmen’s Distribution LLC in Raleigh confirmed that Norman purchased this precise firearm on or about January 14, 2021 for \$700, for a markup of \$1,100.

that Norman tried to increase the price of the pistol from \$1,600 to \$2,000, but Hudson refused. Hudson opined that Norman was using this tactic with other firearm buyers and making a few extra hundred dollars from those sales. During the operation, law enforcement monitored a pen trap and trace device for Hudson's telephone number, ending in 7258. This telephone number communicated by both voice calls and text messaging with Norman's telephone number, ending in 6565. The FBI seized the pistol from the CHS for evidence.

On May 19, 2021, Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) Special Agent Newsome provided the FBI with current multiple sale query, e-trace reports for Norman, covering the period from October 17, 2019 through April 13, 2021.<sup>3</sup> Based on a review of the reports, Norman purchased twenty-three firearms within a six-month period, eighteen of which were Sig Sauer P226 .357 semi-automatic pistols. One of the e-trace reports showed that Norman had purchased five Sig Sauer P226 .357 semi-automatic pistols from Lawmen's Police Supply on January 14, 2021. One of those Sig Sauer P226 .357 semi-automatic pistols had the same serial number as the pistol that the CHS purchased from Norman through Hudson on May 12, 2021.

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<sup>3</sup> These reports account for only multiple sales purchased during the aforementioned time period and not for any individual sale purchases which may have also occurred.

### III. JUNE 8, 2021 CONTROLLED BUY (NORMAN, HUDSON, AND THE CHS)

On June 8, 2021, the FBI conducted another successful controlled firearms evidence purchase from Hudson and Norman using the CHS. The purchase was audio/video recorded by the CHS and physically surveilled by agents and aircraft.

The CHS drove to Hudson's residence in Reidsville. Hudson met the CHS in the driveway and invited them inside. Hudson said he wanted to "show them something." Hudson took the CHS to his bedroom where he showed the CHS a Glock semi-automatic handgun, AR-15 semi-automatic rifle, magazines, and ammunition, all laid out on his bed.

Hudson told the CHS he went through "BLET" (Basic Law Enforcement Training) in 2010 and graduated with Norman. Hudson showed the CHS a photo of their BLET class and pointed out Norman and himself in the photo. Hudson was not immediately able to get hired by a law enforcement agency, so he initially worked for a private security company. Hudson said he "got a felony and couldn't carry a gun no more." Hudson said Norman "begged me to go to Trooper school with him and leave that company." Hudson said he and Norman had worked together for the same private security company. Hudson said, "He knows I'm a felon, I've called him from prison."

The CHS and Hudson then traveled to Norman's home in Browns Summit and parked in the driveway. Norman, in uniform and driving his patrol car, arrived soon thereafter and met Hudson and the CHS, who were standing in the driveway. Hudson introduced the CHS to Norman. Norman drew his service pistol from his duty belt holster and showed Hudson and the CHS NCSHP's current issued Sig Sauer P320 service pistol with engraved badge. Hudson and the CHS followed Norman inside the garage, where he was storing a 30-30 rifle at his home that belonged to Hudson.<sup>4</sup> Norman returned to the garage carrying the decommissioned NCSHP Beretta 12-gauge shotgun, the Arma Lite AR-15 semi-automatic rifle,<sup>5</sup> and the drum magazine the CHS had agreed to purchase.

Hudson and the CHS stayed in the garage area the entire time they were at the house. Hudson was supposed to be purchasing a 60-round drum magazine and some ammunition from Norman for Hudson's 9mm Glock pistol. Norman showed Hudson and the CHS a brand new, decommissioned NCSHP Sig Sauer P226 .357 semi-automatic pistol that was for sale and still wrapped manufacturer's plastic. Norman, Hudson, and the CHS discussed and handled

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<sup>4</sup> Norman had loaned Hudson \$350 and was holding the 30-30 rifle as collateral for repayment.

<sup>5</sup> The AR-15 semi-automatic rifle was capable of accepting a large capacity magazine.



numerous types of firearms, ammunition, and accessories while at Norman's house.

The CHS bought the Beretta 12-gauge shotgun, serial number A1886334, the Arma Lite AR-15 semi-automatic rifle, serial number 107328, one magazine, one soft black case, and one drum magazine from Norman for \$3,200. Hudson and the CHS said their goodbyes to Norman and left his residence.

#### IV. JUNE 24, 2021 CONTROLLED BUY (NORMAN AND THE CHS)

On June 24, 2021, the FBI conducted a third successful controlled firearms evidence purchase from Norman using the CHS. The purchase was audio/video recorded by the CHS and physically surveilled by agents and aircraft.

Norman agreed to sell the CHS the new, decommissioned NCSHP Sig Sauer P226 semi-automatic pistol for \$2,000. They met at the former Gunter's Citgo convenience store in Greensboro. Norman arrived in uniform, driving his marked patrol car. After parking, Norman opened the trunk of the patrol car for the CHS. The CHS and Norman met near the trunk area, where Norman handed the CHS a black gun case that contained the new, decommissioned NCSHP Sig Sauer P226 .357 semi-automatic pistol, serial number 47CO44115. The CHS gave Norman \$2,000 in FBI case funds. Records from Lawmen's

Police Supply in Raleigh confirmed that Norman purchased this firearm on January 14, 2021 for \$1,000, for a markup of \$1,000.

During the purchase, Norman and CHS discussed Hudson. The CHS said Hudson showed them pictures depicting Hudson and Norman attending Basic Law Enforcement Training together. Norman said that he and Hudson had attended the training together, that Hudson had been through a lot in his life, and that Hudson had missed the funeral of a family member because “he was in prison.”

#### V. JULY 7, 2021 INTERVIEWS AND SEARCHES

On July 7, 2021, pursuant to federal warrants, agents searched Hudson’s residence in Reidsville and Norman’s residence in Browns Summit. Agents also arrested Hudson and Norman on federal arrest warrants that same day.

At Hudson’s residence, law enforcement recovered three firearms, including a Beretta 12-gauge shotgun that Norman purchased from Lawmen’s on March 19, 2021. Hudson consented to a post-*Miranda* interview during his transport to Greensboro. Hudson stated that he knew he was a felon and could not have a firearm. He also confirmed that he bought the Beretta shotgun from Norman “a few months ago.”

Once Hudson and Norman were in custody, agents began searching Norman’s residence in Browns Summit. There, they recovered fifty-four firearms from the home. Many were in the master bedroom underneath the

bed, in dresser drawers, and propped against the wall in the closet. One firearm – a loaded revolver – was resting on the back of a toilet in a downstairs bathroom. In a locked closet near the younger children's bedroom (ages two and three), there were multiple long guns hanging on a pegboard. Norman's fourteen-year-old son provided agents with the key to unlock that closet. In what appeared to be a bonus room, there was a long gun resting on a mattress on the floor. There were also multiple firearms and over 4,000 rounds of ammunition in the garage. The ammunition was NCSHP law enforcement-issued and not authorized for personal possession or use.

Agents received consent from NCSHP to search Norman's patrol vehicle. There, they recovered two more firearms (neither of which was NCSHP-issued), including one AR-15 rifle that Norman purchased from Lawmen's earlier that year. There was also an envelope with over \$2,000 in cash, which included FBI buy money from one of the controlled buy operations referenced above.

SAs Spainhour and Newsome went to Lawmen's on July 12 to request records related to Norman's purchases. There, they received copies of the ATF Forms 4473 that Norman completed for each firearms purchase he made there, as well as the additional required forms that Lawmen's has all purchasers complete. For each, Norman initialed to confirm that he was the "end user for the firearm" and that the "firearm is not being purchased for resale." Based on

his review of these records, SA Newsome determined that Norman had purchased thirty-six firearms from Lawmen's since January 1, 2021. Norman sold three of those in the controlled buys in this investigation. A fourth was recovered from his patrol vehicle and a fifth was recovered from Hudson's home. The remaining have not yet been accounted for.

The purchase records also showed that Norman charged twice the purchase price (or more) for the firearms he sold in the controlled buys. As referenced above, he purchased the decommissioned NCSHP Sig Sauer P226 .357 handgun sold in the May 12, 2021, controlled buy for \$410 (plus tax) and charged the CHS \$1,600 for it (and tried to up the price to \$2,000 when Hudson arrived to pick up the firearm). Norman purchased the new, decommissioned NCSHP Sig Sauer P226 .357 handgun sold in the June 24, 2021 controlled buy for \$1,000 and charged the CHS \$2,000 for the same weapon.

At no point in time has Norman ever held a Federal Firearm's License.

This the 7th day of March, 2022.

SANDRA J. HAIRSTON  
United States Attorney

/S/ JOANNA G. MCFADDEN  
Assistant United States Attorney  
NYSB #4500948

/S/ JOHN M. ALSUP  
Assistant United States Attorney  
NCSB #43386

United States Attorney's Office  
Middle District of North Carolina  
101 S. Edgeworth St., 4th Floor  
Greensboro, NC 27401  
Phone: 336/333-5351

CERTIFICATE OF SERVICE

I hereby certify that on March 7, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Joshua B. Howard, Esq.

/S/ JOANNA G. MCFADDEN  
Assistant United States Attorney  
NYSB No.: 4500948  
United States Attorney's Office  
101 S. Edgeworth St., 4<sup>th</sup> Floor  
Greensboro, NC 27401  
336/333-5351